

POSITION DESCRIPTION

CLASSIFICATION: ATTORNEY SUPERVISOR (71-01)

Position Description

Serve as director and attorney supervisor of the Enforcement Bureau of the Division of Securities. Work is performed independently subject to administrative direction and review by the Administrator.

35% A. Coordination of the legal aspects of staff investigations.

- A.1 Establish procedures for and monitor activities of Staff Attorneys, Enforcement Examiners, and Professional Regulation & Compliance Examiners in conducting investigations of potential violations of Ch. 551, as well as overseeing and assisting in preparation for hearing.
- A.2 Draft, edit, approve, review and analyze evidence of violations presented by Examiners and/or Attorneys for relevance during case development, making sure all necessary elements are supported by admissible evidence.
- A.3 Advise and monitor Examiners and/or Attorneys regarding the legal basis for investigative activities, including informal witness interviews as well as formal depositions; conduct investigative depositions and administrative discovery.
- A.4 Review offering documents, financial records and examiner reports to determine the extent and magnitude of violations discovered as the investigation progresses, and evaluate case strategy for hearing or referral.
- A.5 Effectively recommend case dispositions to Administrator, negotiate resolution of cases with targets and their attorneys, and effectively recommend case settlements and rescission offers

35% B. Preparation of cases for criminal or civil proceedings or administrative action.

- B.1 Conduct comprehensive and expert legal research on a case by case and issue by issues basis.
- B.2 Prepare and oversee the preparation of accurate and timely pleadings, draft orders or other documents for administrative, civil and criminal proceedings.
- B.3 Recommend administrative penalties and assessments against violators based on the evidence.
- B.4 Cooperate with and assist prosecutors, law enforcement and state and federal regulators with preparation of securities and franchise investment cases, and serve as expert witness when necessary.
- B.5 Appear on behalf of the Division of Securities to prosecute or defend judicial or administrative proceedings, including assisting in drafting Amicus Curiae briefs when appropriate.

20% C. Supervise Staff in the Enforcement Bureau.

- C.1 Establish clear performance goals and objectives with all staff, and review and update position descriptions as needed.
- C.2 Identify training opportunities and assist staff in identifying career goals.

- C.3 Monitor staff caseload and workflow to ensure productivity and efficiency.
- C.4 Interview, hire, train, evaluate, and discipline staff, as well as assuring sound affirmative action/equal employment opportunities.
- C.5 Follow Department of Administration and DFI procedures in managing staff and approving their records.

10% D. Other

- D.1 Establish procedures to ensure all case materials and other records are accurately filed for instant retrieval.
- D.2 Establish procedures to ensure that all relevant bureau data is accurately entered on division's computer systems and maintained according to bureau manuals and the RDA.
- D.3 Review and respond to inquiries from investors, members of the securities industry, and attorneys representing such persons.
- D.4 Assist with current Division investor education initiatives.
- D.5 Stay current on topics on interest and provide legal advice to the Administrator and other staff members, as requested.
- D.6 Perform other duties as directed by the Administrator.

Required knowledge, skills, and abilities

1. License to practice law in Wisconsin.
2. Extensive, litigation experience in administrative, civil or criminal proceedings.
3. Basic knowledge of Wisconsin Uniform Securities Law and Franchise Investment Law.
4. Basic knowledge of federal securities and franchise laws, practices, and rules.
5. Basic Knowledge of accounting principles and practices.
6. Basic knowledge of the principles, techniques and practices of the securities industry.
7. Substantial knowledge of current trends and problems in the securities and franchise industries.
8. Significant experience handling fraud cases in administrative, civil or criminal proceedings.
9. Ability to exercise administrative direction over complex programs and evaluate effectiveness.
10. Ability to exercise effective supervisory skills and techniques.
11. Ability to exercise sound judgment and discretion in developing and interpreting policies and procedures.
12. Ability to establish and maintain effective working relationships with staff, prosecutors, industry officials, regulatory officials and the general public.
13. Ability to speak and write clearly and effectively.
14. Interpersonal communication skills.
15. Professional appearance, behavior and judgments.
16. Knowledge of investigative practices and techniques.